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Mr Bora Akdenis
Case Manager
Director Operations 1
Anti-Dumping Commission
GPO Box 1632
MELBOURNE VICTORIA 3000

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Dear Mr Akdenis

Investigation No. 254 – Hollow Structural Sections exported from Thailand

Austube Mills Pty Ltd (“ATM”) submits the following comments concerning a proposed unsuppressed selling price (“USP”) from which a non-injurious price (“NIP”) will be determined in the above investigation involving hollow structural sections (“HSS”) exported from Thailand. Additionally, ATM would like to comment on the form of proposed measures.

The Anti-Dumping Commission (“the Commission”) may recall that in Investigation No. 177 the Australian Customs and Border Protection Service (“ACBPS”) determined a USP based upon the Australian industry’s cost-to-make-and-sell (“CTM&S”) plus an amount of profit. The level of profit was determined based upon the industry’s profit in the period January to September 2008 (inclusive).

In recent review investigations involving exports of HSS from Korea (Investigation No. 266) by Kukje Steel Co., Ltd (“Kukje”) and HSS exported from China (Investigation No. 267) by Tianjin Youfa Steel Pipe Group Co., Ltd (“Tianjin Youfa”) ATM submitted that the USP be determined upon the same methodology. That is, ATM’s CTM&S during the review investigation period (July 2013 to June 2014) plus the amount of profit determined for the period January to September 2008.

In this investigation involving HSS exported from Thailand, ATM considers that the same consistent methodology for establishing the USP should be followed. As the investigation periods for the two review investigations (No. 266 and 267) are aligned with the investigation for HSS exported from Thailand (Investigation No. 254), it is reasonable to determine the USP upon the same methodology.

In respect of the proposed form of measures, ATM does not consider that *ad valorem* measures are appropriate in a market with over capacity (i.e. declining market demand), as *ad valorem* measures do not prevent ongoing dumping at a lower price point offsetting the cost impost of duties. ATM has previously highlighted that in a declining market, reductions in export prices (accompanied by reducing interim duties) do not address the injurious effects of dumping. ATM urges the Commission to recommend the form of measures that the Parliamentary Secretary apply on HSS exported from Thailand is based upon the combination method. This method will ensure no further injury from the dumped exports will continue.

ATM urges the Commission to recommend the form of measures that the Parliamentary Secretary apply on HSS exported from Thailand is based upon the combination method, as was the case in Investigation No. 177. This method will ensure no further injury from the dumped exports will continue.

If you have any questions concerning this letter please do not hesitate to contact ATM's representative Mr John O'Connor on (07) 3342 1921 or Mr Matt Condon on (02) 8424 9880.

Yours sincerely



Brett Willcox
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